

## CROKER HERE FOR A VISIT

SAYS HIS ONLY OBJECT IS  
TO SEE OLD FRIENDS.

He Snickers and Chortles at the Idea of Bryan Running Again—As to Tammany Meeting Next Mayor, Ask Him something Easy—To Winter in U. S.

Richard Croker, rugged, florid and clear-eyed, was received rapturously yesterday morning as he stepped off the gangplank of the Cunard Lusitania, in from Liverpool and Queenstown, by the workmen on the pier at the foot of West Fifth street. Two strong lugged painters who leaned from a gangway on the uncompleted upper deck of the pier, built under supervision of Tammany, yelled to him, calling him "Dick" and inviting a multitude of folks to give three cheers for the ex-chief of Tammany.

But there was not enough of the local populace present to make a big noise, and a dozen friends of Mr. Croker who had come to the pier preferred to greet him with hearty handshakes. He had requested especially that there should be no demonstration. He was the quietness of amiability, posing repeatedly for a dozen photographers and listening attentively to a hundred or more questions from fifteen reporters, but not answering the essential ones except with a smile that was enigmatic.

Lewis Nixon was the first of Mr. Croker's friends to welcome him. Mr. Nixon boarded the ship at Quarantine from Health Officer Doty's boat. Later the newspaper men got at him on the promenade deck of the Lusitania. Everybody who had seen him when he sailed back to Ireland four years ago remarked on the vast improvement in his health. He wore a brown suit of tweed with an abbreviated sack coat that gave him form, which is almost painless, a slightly boyish appearance.

His black derby hat looked as if it were of a vintage popular in the days when he was the political boss of the town. He moved with deliberation but without effort.

He had remarked to a friend on the trip that ships were somewhat different from what they were in the days when he first sailed across the Atlantic. His friend asked him when that was and he answered that it was thirty-three years ago when, with his parents, at the tender age of 2, he stayed a course for the town that he was destined to rule for a time. That revealed to the friend that Mr. Croker is 65. Nobody who looked at him yesterday would have said so, notwithstanding his almost white hair and beard.

He was asked how he kept in such good condition, and he said by a life chiefly in the open. He walks much and rides occasionally, and keeps interested in his stock farm. He spoke with decision when he was asked if he intended ever to come back to America to live permanently, saying that he would spend his last days in Ireland, but that he would never give up his American citizenship. He dodged the question of "Do you like the English?" by answering, "I don't see much of them. I live in Ireland, merely visiting England to enter my horses in the races. I shall reside in Ireland indefinitely. The climate is, to my thinking, one of the finest in the world."

Mr. Croker said he was feeling just as fine as he looked and that he hoped to come pretty close to living up to the century mark now that he had got out of the turmoil of politics. Political life in America, he declared, was too strenuous to promote longevity, and if he had continued in it he would have been dead several years ago. There was a certain reserve vitality that men had after they reached 50, but if they drew on it as the active politicians and business men of America did, they would have nothing left to sustain them in their age.

Mr. Croker has not cultivated either an Irish or an English accent, but he occasionally uses a Britishism. He was asked if golf was one of the sports by which he helped to keep himself in trim and he said he was not "keen" for it. The newspapers, he said, had put him down as a "champion," but he looked upon himself as a very ordinary player.

He said that he had not decided where he would go for the winter, but that he intends to pass in America, but that it would be to some place warmer than New York. It might be Florida and it might be the latter place and there was any racing going on there he assuredly would attend. While he was making up his mind where to go he would live at the Democratic Club, he said. He did not expect to remain in New York more than a few weeks.

The nearest that Mr. Croker came to uttering an opinion of a political nature was in his response to this question: "Did you learn by wireless that Mr. Bryan has said that he will again be the nominee of the Democratic party if the party wants him?"

Mr. Croker looked at his questioner with a surprised expression. Then his mouth broadened into a grin, and he put his nose into his cuff and gave vent to a combination of chortle and snicker. The action conveyed to his interviewers the impression that Mr. Croker was indulging in derisive mirth mingled with wonder over the information. Everybody around him also laughed. That was Mr. Croker's only answer.

To the problem, "Do you think Tammany can elect its candidate for Mayor next year?" Mr. Croker responded, "Ask me something easier?"

Repeated questions relating to local and national politics were either dodged or listened to in silence. Finally Mr. Croker declared that he was out of politics altogether and that he could not be induced to resume the leadership of Tammany Hall.

About horse racing Mr. Croker was willing to say something, and even ventured an opinion on the anti-race-track gambling law in New York. This was that all laws ought to be enforced, but that laws should be liberal. Tammany Hall, he said, has always stood for liberal laws. When a reporter suggested that the anti-betting law might be repealed, Mr. Croker asked suggestively, "By an-

## SCORE MISSING AFTER CAVE-IN

GAS EXPLOSION IN BROOKLYN  
SEWER COSTS MANY LIVES.

Samuel Prout Perishes in the Hole From Which He Had Just Saved a Woman—Three Men Beat a Rising Flood and Have—Danger From a Broken Main.

An explosion of gas at 9:15 o'clock yesterday morning in a part of the excavation for the new trunk line sewer in Gold street, Brooklyn, between York and Front, was followed by fire, flood and a cave-in, and it is believed that the score of persons perished. The trench in which the explosion occurred was being dug to accommodate a sewer 13 feet and 6 inches in diameter and was 40 feet deep and 24 feet wide, extending from curb to curb. It was covered with planks weighted with earth and was virtually a tunnel. After a muffled roar smoke burst from the entrance at Front street and a moment later persons who had paused in wonder at the tremendous concussion were running for their lives as the sidewalks crumbled beneath them.

Samuel Prout, formerly a member of the Woodhams Fire Department, was standing near the entrance to the tunnel when the explosion occurred. He saw a woman fall when the flames burst out of the hole and dragged her out of danger. He then returned to assist two Italians who were trying to clamber into the street. Prout fell into the hole and was burned to death. He is the only body recovered. He was 58 years old and lived at 258 Front street.

A big water main in Gold street parted and it was soon seen that the tremendous wash might undermine the houses. Gangs were put to work shoring up the foundations. The water served one good purpose, extinguishing the flames rising in the woodwork of the sides and top of the trench. Three carpenters, Arthur Strand of 186 East 127th street, Frank Schulwald of 320 East 121st street, John Crank of 117 East 119th street and a helper known as John were at work near the river end of the tunnel. They heard the crash, saw the twisting of the timber supports and too late to their heels as their foreman, Gus Anderson, screamed and was buried in the wreckage.

The men ran down the completed section of the sewer toward the river and soon were overtaken by a stream of water that slopped about their feet, ran on ahead and crept up their legs with a rapidity that threatened to drown them before they had covered the three blocks that lay between them and the river. At several manholes which showed sparks of light high above their heads they stopped long enough to shout for assistance, but the increasing volume of water warned them to hurry on. Finally they reached the outlet as floating things were beginning to knock about their chests.

Meanwhile fire alarms, ambulance calls and police orders had brought a small army to the scene. Teams and workmen began to arrive soon after, and the work of uncovering the ditch began, but it was considered so perilous that the police, acting under instructions of Inspector Schmittberger, cleared the houses in the neighborhood of all their occupants. There was danger that the water might wash some of the buildings from their foundations. Inspector Schmittberger ordered the arrest of John J. Haggerty, contractor in charge of the sewer construction, and Patrick McEvoy, a foreman, who were held in \$2,000 bail on a charge of criminal negligence.

Mayor McEllen, who had gone to Brooklyn to testify before the Grand Jury, went to the scene and later ordered Sanitary Superintendent Walter Bessel to take personal charge of the rescue and relief work, all of the city departments to aid him in every possible way.

The children of St. Ann's Parochial School, 300 in number, were marched out soon after the explosion, as the school is near the scene of the accident, and it is feared that some of these came to grief through curiosity.

Last night a corps of house movers and shovers was at work in the trench making things safe for the firemen who are going to get to work this morning digging for the bodies. Deputy Chief Lally will put a hundred firemen at work at 7 o'clock this morning, but last night he would not allow any of his men to venture into the ditch or in any of the houses along the sides of the cavern for fear that a further catastrophe might be invited.

The hole in the street widened last night until it reached to the foundations of the houses on both sides of Gold street, snapping off all water and gas connections in them. It looked for a time as if the houses themselves might come down, until the house movers got shores braced up against the sides of the shabby dwellings.

The police gave out last night the following list of those who are believed to have been caught in the cavern and to have died but whose bodies have not yet been recovered:

AMANDI, FRANCISCO, laborer.  
AMANDI, JOHN, laborer.  
ANDERSON, GUSTAVE, foreman of carpenters.  
BLACKMAN, EMIL, laborer.  
BRADY, CHARLES, 7 years old, of 107 Gold street.  
CORANT, CRISTOMER, laborer.  
DALTON, WILLIAM, 6 years old, of 106 Gold street.  
DOHERTY, VINCENT, 10 years old, of 107 Gold street.  
FARRILL, CHARLES, foreman of concrete workmen.  
GIBSON, FELIX, laborer.  
JOHNSON, ALEXANDER, laborer.  
NEALON, CHARLES, laborer.  
O'BRIEN, JOHN, 6 years old, of 107 Gold street.  
PARK, GUY, laborer.  
SCHMITTBERGER, FRED, city inspector of sewers.  
WALDO, GUY, laborer.

## PRIZE FOR AMERICAN OPERA

Metropolitan to Offer One and to Produce the Winning Work.

At the monthly meeting of the Metropolitan Opera Company held on Thursday in the opera house Mr. Gatti-Casazza addressed the directors on the subject of an American opera. His remarks had so much effect that the Metropolitan Opera Company made public yesterday the fact that a prize will be offered for an opera composed by an American.

"I have been in this country long enough," Mr. Gatti-Casazza said last night, "to realize that there has been next to no effort made to encourage the American composer to write an opera score. I find no traces of any such attempt in the history of opera in this country. That is more incompressible to me than it might be from the fact that Americans have impressed themselves on every other kind of music. In the lighter forms they have become known in every European country."

"My directors have arranged to pay a large prize, which has not yet been definitely settled, for the best operatic score composed by a musician born in the United States. It is imperative that the work shall never have been performed, that no part of it shall ever have been given in public, and that above all the composer be of American birth. No untrained citizen may take part in the competition, which will be decided by a jury selected from the most capable musicians of this country."

"In order that the composer may have the greatest latitude he may take any text that suits him, provided it has not been used before. A librettist of any country may supply the book so long as it is new. When the conditions of the competition have been arranged more detailed information will be supplied. The directors of the Metropolitan Opera Company are determined to do all in their power to develop the genius of the American composer, and must be capable of producing a successful grand opera if it received proper encouragement."

## PRIVATE TRACK BETS UPHELD

Appellate Division Takes Justice Bischoff's View of Collins Case.

The action of Justice Bischoff of the Supreme Court in discharging from custody Melville Collins, a race-track frequenter who was accused of having made a personal bet with a friend concerning the result of a certain race, was affirmed yesterday by the Appellate Division of the Supreme Court.

Collins was arrested on a charge made by Assistant District Attorney Elder. Justice Bischoff ruled that Collins was no more a criminal than any private person betting a pair of gloves or a box of candy on a football game and that the essence of the criminality in the laws against betting lay in the fact that such bets were made on one side at least, by a professional bettor, one who had made a business of such wagers.

Justice Clarke, writing the decision of the Appellate Division, says that "the statute is aimed at the stakeholder, the bookmaker and the pool-seller."

"To construe the language in the manner contended for by the learned District Attorney (Elder)," says Justice Clarke, "is to wrench words from the context, to violate the grammatical construction of the sentence and to ignore the historical development of the statute and the obvious enactments of which it is the ultimate result."

"It follows therefore that the order sustaining the writ of habeas corpus and discharging the prisoner was right and must be affirmed."

## STOLE \$40,000 GRIP; CAUGHT

Hotel Porter Sent Jewelry Samples One Way and Fled Another—Both Found.

OMAHA, Neb., Nov. 20.—Charles Leonard, a porter at the Henshaw Hotel here, picked up a grip containing \$40,000 worth of diamonds and jewelry and walked off with it this morning. The grip belonged to the Newark Jewelry Company of Newark, N. J., and was carried by Charles P. Hartshorn of Newark, a travelling salesman for the company.

Several hours after the robbery Leonard was arrested in St. Joseph, Mo., and the jewelry was found at Hamburg, Ia., to which point the thief had checked it before leaving Omaha. Leonard is returning from Missouri without a requisition. Hartshorn has been in Omaha several days working the trade. He intended leaving this morning and ordered his grip brought from his room. Leonard went after it and came down the elevator with Hartshorn, who directed him to take the grip to a waiting cab, while he himself went to the hotel to get his baggage.

He came out Leonard and the grip were gone. It was learned that the porter had driven to the Burlington station in a cab and boarded a train after checking the grip to the Iowa town.

Five detectives met the train at St. Joseph and arrested Leonard as he alighted. He confessed and gave the check to the police. Hartshorn went to Hamburg and got his grip, which apparently had not been opened.

Kremenz's A. Co., manufacturing jewelers on Chestnut street, Newark, where Charles P. Hartshorn has been employed for several years, had received no word from him about the robbery last night. He left on a Western trip three weeks ago.

## GREAT ANTI-LIQUOR VICTORY

British High License Bill Passes on Third Reading With a Huge Majority.

LONDON, Nov. 20.—In a free and impressive speech in the House of Commons to-day which was heard with respect by the Opposition and received enthusiastically by the Ministerialists and Laborites Prime Minister Asquith moved the third reading of the licensing bill.

Messrs. Clavell and Satter and Earl Winterston moved its rejection. A division was taken amid much excitement and cries of "Property! property!" and "Robbery! robbery!" to which the Laborites retorted "Snobbery, snobbery!"

The bill was carried by a vote of 350 to 118.

## THE WOMAN'S ARGUMENT

"THE TROUBLE WITH YOU MEN IS YOU DON'T KNOW."

So Miss Coleman, Pleading Sears Case, Talks to Justices of Appellate Court—They Seem to Like It and She Has Her Own Way Except for Decision.

Miss Mary Coleman, counsel for the suffragettes, appeared before the Appellate Division yesterday on the application of Dr. Julia Seton Sears for a writ of mandamus to compel an election board to register her as a voter. Dr. Sears was a voter in Colorado and insisted on her right to vote for Presidential electors here after a year's residence in the State.

Miss Coleman told the court that they needn't be afraid she was going to make any general argument to the effect that the Fourteenth Amendment to the Constitution conferred the right of suffrage upon women. What she wanted to say was simply that the amendment protects every citizen against hostile and discriminating legislation and that Dr. Sears having previously voted in Colorado at three national elections was deprived in this State of the right of franchise. No parallel case, she said, had ever been brought before any other court, and she wanted to know whether the courts were going to hand down to posterity the question "When is a citizen not a citizen?" and give the answer "When she is a woman."

Justice Clarke said that he would much rather listen to what she had to say than to any dry decisions, wherefore she blushed and thanked him.

"But," said Justice Scott, "hasn't each State a right to decide upon what shall constitute qualifications for voters?"

"Why of course," replied the suffragette Portia, "but—"

"Then," continued Justice Scott, "suppose, for instance, that the State of New York said that only males of the age of 18 years should vote?"

Miss Coleman clasped her hands tragically and her eyes flashed fire. Then she stepped close to the rail, threw out her arms in a gesture of utter abandonment and announced in dramatic tones:

"The trouble with you men is that you don't know the difference between qualification and discrimination."

The spectators gasped with horror, but the court seemed interested in the speech and apparently didn't care whether it was being treated with contempt or not. Miss Coleman went on:

"Any male can at one time in his life attain the qualification of being 18. There may be all sorts of other qualifications with which women as well as men could comply, but the question of sex rests with God Almighty alone, and any curtailing of privileges based upon a question of sex alone is therefore a discrimination."

The Justices joined heartily in the uproar of laughter that followed this explanation, and Miss Coleman adjusted her bracelets, pulled up her long black suede gloves and smiled patronizingly at Theodore Connolly, the opposing counsel.

In conclusion Miss Coleman cited the case of McPherson vs. Blacken to prove that rights already acquired by a citizen are guaranteed by the oft quoted amendment. She also referred to the opinion of Justice Bradley in the slaughter house case that it is futile to argue that only members of the African race were intended to be benefited by the amendment.

"The Supreme Courts all over the country," she said, "are continually harping on the inestimable privilege of the suffrage. Now if it is such a privilege I want it to be understood that it is going to be argued and insisted upon that the white woman as well as the negro man must be guaranteed the protection of a right she has already acquired."

The court reserved decision.

## VANDERBILT'S COACHING PLANS

He Will Send Ninety Horses to England and Run Two Coaches Next Spring.

NEWPORT, R. I., Nov. 20.—Plans for his second coaching season in England next spring have been completed by Alfred G. Vanderbilt. He will run a double service between Brighton and London next spring, starting the coach Venture from one end and the Viking from the other, with the route so arranged that the two coaches will meet midway for luncheon.

Mr. Vanderbilt's manager, Charles H. Wilson, who will be one of the whips, he driving one and Mr. Vanderbilt the other coach, will start for London soon after the new year with ninety coach horses and several coaches and carriages. They will be quartered at the farm used by Mr. Vanderbilt last year, and the coach horses are to receive three months of training. Among the horses which will be taken abroad will be four of the famous grays used abroad last year.

Mr. Vanderbilt will open his service on May 1, and it is his intention to carry it into the month of July, longer than last year.

## JUSTICE GAYNOR ON WHISKEY

Brooklyn Saloon Keeper Falls to Have His Conviction Set Aside.

The Appellate Division of the Supreme Court in Brooklyn yesterday affirmed the conviction of Anthony Marx, a saloon keeper, by the Court of Special Sessions for violating the excise law by selling liquor on Sunday. The defendant's lawyer contended that the policeman who made the arrest after he had called for whiskey and had been served with a drink was not an expert, although he testified that he had been drinking whiskey for thirty years.

"It is about time that this sort of thing was stopped. Anyway, the fact that he ordered whiskey and a fluid was served to him over the bar as whiskey was of itself evidence that the witness got what he ordered—whiskey. So the judgment of the lower court is affirmed."

## SEABOARD YEAR ROUND LIMITED

Seaboard Year Round Limited, having N. Y. 130 P. M. commencing Nov. 21st, will arrive Baltimore 4:30 P. M. Absolutely quick! Florida train. Once 115 P. M. 4:30 P. M. Seaboard Air Line. Office 115 P. M. 4:30 P. M.

## HAMBURG CENSURES REICHTAG

Resolves That It Will Not Bring the Kaiser to Terms the People Must.

Special Cable Dispatch to THE SUN. HAMBURG, Nov. 20.—Nowhere else in Germany has criticism of the Kaiser been more severe than here, and his declaration after the Potsdam interview with Chancellor von Bülow has not placed public opinion.

A monster meeting of citizens of all parties held here to-day passed a resolution condemning the Reichstag's attitude and the Emperor equally and adding in effect that the nation's confidence in the Government has been shattered.

If the Reichstag will not act, it is resolved, the people must convey directly to the Kaiser their demand for constitutional guarantees.

## PAIN IN FINN'S ELBOW

How Supreme Court Complaints of Beggars Affected Battery Dan.

When Policeman Brust of the Elisabeth street station arraigned a man before Magistrate Finn last night for begging at the Worth street subway entrance Brust said:

"Your Honor, I arrested this man because Commissioner Bingham has got letters from Supreme Court Judges complaining about the beggars in the Worth street station."

"H'm," exclaimed the Court. "So Bingham has been getting letters from Supreme Court Judges, has he? It gives me a pain in my elbow. Prisoner discharged."

## FOOTBALL SEATS BY WIRELESS

Passenger on Lusitania Scores Up Seven for Today's Game for \$215.

One of the passengers on the Lusitania was so anxious to see the Yale-Harvard football game that he paid \$215 for seven tickets and spent at least \$25 more in wireless telegraphing.

Two days before the Cunarder docked the passenger telegraphed to a broker to get him four tickets. The broker couldn't find them and wired back to that effect. The passenger tried two other brokers, and both of these had better luck. When he got off the ship yesterday one had three tickets for which \$25 each was paid and the other four, which cost \$25 apiece. The brokers said the tickets were hard to get even at the price.

## STOCK EXCHANGE DEAN SELLS

William A. Smith Disposes of the Seat He Got in 1844.

William Alexander Smith, the dean of the Stock Exchange, has sold his seat to George A. Hurry of Henry Clews & Co. Mr. Smith got the seat in 1844 and has retained it since despite the fact that he retired from active business some time ago.

The sale makes J. H. Whitehouse of Whitehouse & Co., the broker with the longest membership in the exchange. Mr. Whitehouse bought his seat in 1857. His firm was organized in 1828 and is the oldest on the exchange.

## CLEAN BILL FOR N. Y. CENTRAL

Indictment Growing Out of Brewster Express Wreck Is Dismissed.

The indictment for manslaughter in the second degree filed against the New York Central and Hudson River Railroad Company on March 27, 1907, following the wrecking of the Brewster express, in which twenty-four persons were killed, on February 16, was dismissed by Justice Davis yesterday in the Criminal Branch of the Supreme Court upon motion of District Attorney Jerome.

Alfred H. Smith, vice-president and general manager of the road, was tried on a similar indictment before Justice Kellogg last December and was acquitted.

In making the motion for dismissal Mr. Jerome said that it would be useless to attempt to secure a conviction against the railroad company upon the same evidence upon which Mr. Smith had been acquitted.

## RUSSIA WANTS AN AEROPLANE

Ministry of War Trying to Buy a Model From the Wrights' Agent.

SPECIAL CABLE DISPATCH TO THE SUN. ST. PETERSBURG, Nov. 20.—The Ministry of War is negotiating with M. Berg, the Wrights' agent in Europe, to purchase an aeroplane of the Wright model.

## FORGER GOT \$1539.423.

Record of Van Vliet's Thefts Made by Receiver's Accountant.

CHICAGO, Nov. 20.—Peter Van Vliet's forgeries amount to \$1,539,423. This total of the forged mortgages, trust deeds and notes was given out this afternoon by William C. Niblack, vice-president of the Chicago Title and Trust Company, which is acting as receiver for the Van Vliet assets in connection with the bankruptcy proceedings.

The forged securities listed in the card index were compiled to-day by expert accountants and covered seven typewritten pages. They include loan numbers 2,016 to 3,244 inclusive. The loans run from \$1,000 to \$10,000. Three \$10,000 mortgages are in the list.

"This is the total amount of Van Vliet's forgeries as taken from the records which he gave me," said Receiver Niblack. "Of course we cannot tell whether or not all of these mortgages are outstanding or how many of them have been taken up by him. That can only be determined after a thorough examination of all papers included in the list, comprising 430 separate loans."

## Football Ticket Speculators Arrested.

NEW HAVEN, Nov. 20.—Half a dozen ticket speculators, one a woman, were arrested here late to-night accused of violating a city ordinance that prohibits speculation. They were selling football tickets for the game to-morrow for prices ranging from \$7 to \$12. Yale football officials will aid the city authorities in prosecuting the speculators.

## Republican Elected Lieutenant-Governor of Missouri by Thirty Votes.

JEFFERSON CITY, Mo., Nov. 20.—The official count of the vote for Lieutenant-Governor, completed to-day, showed that Gmelich, the Republican candidate, was elected, defeating Painter, Democrat, by 30 votes.

The election of Herbert S. Hadley, Republican, as Governor was not in doubt.

## MR. ROCKEFELLER'S MEMORY

NOT AS RESPONSIVE ON THE CROSS-EXAMINATION.

Mr. Kellogg Finds It Difficult to Get Direct Answers and Brings Out Very Little—Hazards of the Oil Business. Witness Says, Justify My Friends.

Frank B. Kellogg, attorney for the Government in the Standard Oil case, had a hard nut to crack yesterday. The meat that had almost shocked itself under the pressure of John G. Milburn's thumb was no longer easy to get when it came Mr. Kellogg's turn to do the picking.

It seemed to be another Mr. Rockefeller than the one of the two previous days who was doing the answering. On direct examination Mr. Rockefeller had been keen, facile and eloquent and had shown a most servicable memory. The memory preserved yesterday on cross-examination the quality of servicable memory otherwise the witness's overnight change was little less than remarkable.

The clear mental images of events of twenty-six to forty-six years ago that Mr. Milburn's questions had so readily evoked on the earlier two days had faded until their details were scarcely to be traced in the perimetric shadows. Even recorded facts had lost their power to convince. When reading from published records of an earlier case and testifying from them at Mr. Kellogg's request Mr. Rockefeller replied when asked for a direct answer: "It seems to be so—from these records."

"Perhaps so," "Very likely," "Presumably" and "That may be so" were a rule the best answers Mr. Kellogg could get when striving for a direct answer. More often Mr. Rockefeller "could not say," "could not state," "did not recall" or "could not recollect." In exactly a half hour in the afternoon Mr. Rockefeller fell back upon these phrases fifteen times. Mr. Kellogg was driven once to ask him rather pointedly how it was that on Thursday he had been able to tell so clearly about some 10 per cent. rebate payments and was unable on Friday to recall very much more important rebates of practically the same time.

Aside from the noncommittal replies Mr. Rockefeller appeared much more alert yesterday than on direct examination. He often leaned toward his questioner and sometimes testified in his chair with hands clasped between his knees as he framed his responses. His quiet attire of Thursday was relieved only by a more noticeable necktie. His cross-examination is not finished. "Had Mr. Kellogg believed that he could finish it to-day, there was to have been a session to-day, but as he did not, Mr. Rockefeller preferred that the hearing go over until Monday, and it was so ordered."

Mr. Kellogg succeeded in getting some light on Mr. Rockefeller's ideas of what constitutes a hazardous business and brought into relief Mr. Rockefeller's remarkable escape from all the hazards with a resulting \$300,000 surplus on an original capital investment of \$60,000, which meanwhile had paid in dividends \$601,000.

Mr. Kellogg began his examination by asking about the hazardous nature of the business, upon which Mr. Rockefeller had laid such stress on his direct examination. Mr. Rockefeller replied that the instability of the supply was one of the hazardous elements but was not the only element of risk.

"Isn't the fact according to your general recollection that the production of oil increased steadily up to about eight years ago?" asked Mr. Kellogg. Mr. Rockefeller said "No."

"Why," said Mr. Kellogg, "the Government survey shows that the production was 20,000,000 gallons in 1890, 30,000,000 gallons in 1895, and 30,200,000 gallons in 1900. Isn't that your recollection now?" Again Mr. Rockefeller answered "No."

"Hasn't the experience of fifty years or of the last twenty years shown that the supply of oil was sufficient for your manufacture?"

"No, sir. The supply of crude has increased and decreased irregularly. Isn't it true that the lessened production of recent years in the Pennsylvania fields is due to the introduction of cheaper oil from elsewhere?"

"Not that I know of."

"Isn't the general production to-day many times what it was thirty years ago?"

"Oh, yes."

Q.